

To: Flynn, Mike[Flynn.Mike@epa.gov]
From: EPA Press Office
Sent: Mon 6/19/2017 5:48:18 PM
Subject: ICYMI: EPA Ends \$1 Million Taxpayer-Funded Gym Membership Program

IN CASE YOU MISSED IT ...

EPA Ends \$1 Million Taxpayer-Funded Gym Membership Program *EPA Administrator Scott Pruitt Identified The Gym Memberships As An Abuse Of Taxpayer Dollars*

The Washington Free Beacon
Elizabeth Harrington
June 19, 2017

<http://freebeacon.com/issues/epa-ends-1-million-taxpayer-funded-gym-membership-program/>

The Environmental Protection Agency has ended a nearly \$1 million program that provided gym memberships for employees.

The new administration under EPA administrator Scott Pruitt identified the gym memberships as an abuse of taxpayer dollars. Examples of the program's misuse included \$15,000 for gym memberships for 37 EPA scientists in Las Vegas last year.

...

Pruitt vowed an end to taxpayer-funded programs after the Washington Free Beacon report on the agency spending \$15,000 on gym memberships in Las Vegas, earlier this year. Employees in the U.S. Environmental Science Division billed taxpayers \$399 each for gym memberships, even though employees had access to a "state-of-the-art" gym on the University of Nevada, Las Vegas (UNLV) campus.

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Washington, D.C. 20004
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To: AO OPA OMR CLIPS[AO_OPA_OMR_CLIPS@epa.gov]
From: So, Katherine
Sent: Mon 6/19/2017 5:39:46 PM
Subject: UPDATED E&E News: Agency plans to end fitness benefits, 6/19/17

E&E News

<https://www.eenews.net/greenwire/2017/06/19/stories/1060056244>

Agency plans to end fitness benefits

By Kevin Bogardus 6/19/17

U.S. EPA employees' fitness benefits are now on the Trump administration's budget chopping block.

On Thursday, EPA union leaders received an email from an agency labor attorney saying the agency planned to stop funding for fitness subsidies and fitness centers by the end of next month.

"This serves as official notice that the agency will discontinue fitness subsidies and fitness center funding agency-wide, which will result in a savings of nearly \$ 900K per year for the agency. Discontinuation of this funding is targeted for July 31, 2017," said the attorney in the email, which was obtained by E&E News.

Union officials expressed anger at the EPA notice.

"It's petty," said John O'Grady, president of American Federation of Government Employees Council 238, which represents thousands of EPA employees. "Healthy employees tend to come to work more often instead of taking sick days, so it doesn't make much sense."

Mark Sims, president of the EPA Unit of the International Federation of Professional and Technical Engineers Local 20, based in Region 9, called the plan a "bad idea and shortsighted."

"It is something that has been provided for a long time and now it's suddenly going to be taken away," he said. "What's their basis for doing so, I don't know."

Tony Reardon, president of the National Treasury Employees Union, said in a statement the union "has been notified that EPA intends to discontinue offering fitness facilities to employees."

"NTEU has asked for a briefing and hopes to bargain with the agency to retain some fitness facilities," Reardon said. "This appears to be a case of an agency being penny-wise but pound-foolish as fitness centers save the government money through healthier employees."

Reardon noted that EPA employees represented by NTEU Chapter 280 pay a monthly fee for access to a fitness center, which is used by multiple agencies.

EPA press officials didn't respond to messages asking for comment from E&E News for this story.

In his email, the EPA labor attorney said the date of the funding stop for fitness benefits may fluctuate depending on when already-obligated resources may end. In addition, negotiations on the fitness issue will be conducted on "the local level."

EPA union leaders have also been invited to a briefing on ending fitness benefits Wednesday.

After that meeting, O'Grady said he will talk to his union law firm about whether or not to file a grievance.

"I'm going to make that decision then. Quite frankly, I don't think there is much that we can do," O'Grady said.

Sims said he was considering filing a grievance over EPA's decision to end fitness benefits.

"A change in working conditions is always negotiable," Sims said.

Union officials pointed to agreements between EPA management and labor groups that are problematic for the agency's decision to halt funding of fitness benefits.

NTEU's collective bargaining agreement with EPA said employees' access to fitness centers will continue under the agreement and any changes to that condition will be handled at the local level.

In addition, a memorandum of understanding signed in 2012 between EPA and unions in Region 9 says the regional office is "committed" to setting aside \$40,000 for equipment-related expenses and the fitness center will occupy roughly 5,200 square feet in its office building.

"We expect them to comply with the MOU they signed in 2012," Sims said.

'It's in our basement'

Fitness centers are spread throughout the agency to be used by employees. In a 2013 EPA blog post, Craig Hooks, then a senior agency official, said over 94 percent of EPA locations had access to a fitness center.

"It's in our basement. It doesn't have a running track or a pool. It just has some treadmills and weights," O'Grady said, referring to the fitness center in EPA's Chicago-based Region 5 office, which is used by other federal employees.

O'Grady said his understanding of EPA's plan is to end stipends for employees' gym memberships and also end supplement funds provided by EPA to the fitness centers. That will mean EPA employees will have to pay larger fees to keep those centers open.

"For the most part, they [fitness centers] will stay open. Employees will have to pay more. If they don't, they may close," O'Grady said.

EPA employees' gym benefits have grabbed Administrator Scott Pruitt's attention in the past. On "[Fox and Friends](#)" in April, he was asked about EPA paying nearly \$15,000 for employees' gym memberships.

"Well, the gym memberships ended yesterday. It was quite something to hear about that out of Nevada," Pruitt said. "That was the previous administration that granted those gym memberships, rather expensive."

He added, "It was something that needed to end."

Conservative group [Americans for Tax Reform](#) dug up receipts for gym memberships that Pruitt was questioned over in his Fox interview. The documents showed that EPA's Las Vegas office paid \$14,799.63 for the memberships.

The EPA inspector general has also looked into fitness benefits for employees in the past. In a [report](#) released this February, the agency watchdog found two transactions, totaling \$14,985, were for gym memberships that were improperly paid in advance ([E&E News PM](#), Feb. 17).

"There was a lot of press attention on that, and it grabbed the administrator's attention. That's what brought his attention to this issue in my belief," Sims said.

"What happened in Las Vegas may be a triggering issue for this."

Katherine So

Office of Media Relations Intern

U.S. Environmental Protection Agency

Telephone: (202)-564-4511

so.katherine@epa.gov

To: AO OPA OMR CLIPS[AO_OPA_OMR_CLIPS@epa.gov]
From: So, Katherine
Sent: Mon 6/19/2017 5:38:08 PM
Subject: E&E News: Agency plans to end fitness benefits, 6/19/17

E&E News

<https://www.eenews.net/greenwire/2017/06/19/stories/1060056244>

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"What happened in Las Vegas may be a triggering issue for this."

Katherine So

Office of Media Relations Intern

U.S. Environmental Protection Agency

Telephone: (202)-564-4511

so.katherine@epa.gov

To: Flynn, Mike[Flynn.Mike@epa.gov]
From: Vizian, Donna
Sent: Mon 5/1/2017 12:45:52 PM
Subject: FW: Notice: Gym Membership Program Termination
Pitchford 20170428 demandtobargain Gym Memberships.doc

One demand to bargain over fitness center membership in. I am sure R3 will be next.

From: Orme-Zavaleta, Jennifer
Sent: Monday, May 01, 2017 7:45 AM
To: Vizian, Donna <Vizian.Donna@epa.gov>
Cc: Robbins, Chris <Robbins.Chris@epa.gov>
Subject: FW: Notice: Gym Membership Program Termination

Morning Donna. Were you able to connect with Ryan on this? I thought we were still on hold yet
I see LER sent a formal notice last Monday. Can you please clarify? Thanks

jennifer

Jennifer Orme-Zavaleta, PhD

Director, National Exposure Research Laboratory

USEPA Office of Research and Development

109 TW Alexander Dr MC 305-01

RTP, NC 27711

919-541-2106

Ex. 6 - Personal Privacy (cell)

orme-zavaleta.jennifer@epa.gov

From: Smith, Kathryn
Sent: Monday, May 01, 2017 7:42 AM
To: Watkins, Tim <Watkins.Tim@epa.gov>; Schumacher, Brian
<Schumacher.Brian@epa.gov>; Orme-Zavaleta, Jennifer <Orme-Zavaleta.Jennifer@epa.gov>
Cc: Gordon, Noreen <Gordon.Noreen@epa.gov>
Subject: FW: Notice: Gym Membership Program Termination

FYI—see the attached demand to bargain the gym closure in Vegas.

Sincerely,

Kathryn

Kathryn Smith

Labor and Employee Relations Specialist

U.S. Environmental Protection Agency

Office: (919) 541-4216

Cell: (b) (6)

CONFIDENTIALITY: This email may contain privileged or confidential information. If you are not the intended addressee, you may neither copy, disseminate, nor distribute it to anyone else or use it in any unauthorized manner; to do so is strictly prohibited and may be unlawful. If you receive this email by mistake, please advise the sender immediately and delete it. "Information in this message may be subject to the Privacy Act (5 USC 552a) and should be treated accordingly."

From: Pitchford, Ann
Sent: Friday, April 28, 2017 6:05 PM
To: Smith, Kathryn <Smith.Kathryn@epa.gov>
Subject: FW: Notice: Gym Membership Program Termination

Hi, Kathryn

Attached please find a demand to bargain on the notice you provided below.

Thank you,

Ann

Ann Pitchford, Ph.D. Research Physical Scientist/ President, NAGE R12-135

U.S. EPA ORD/NERL/SED/IEMB 944 E Harmon Ave Las Vegas, NV 89119

(702) 798-2366 pitchford.ann@epa.gov

From: Smith, Kathryn

Sent: Monday, April 17, 2017 7:30 AM

To: Pitchford, Ann <Pitchford.Ann@epa.gov>

Subject: Notice: Gym Membership Program Termination

Ann,

This is notice that the EPA has terminated the gym membership program for NAGE employees in Las Vegas, when current memberships expire, they will not be renewed. Please let me know if you have any questions, thanks.

Sincerely,

Kathryn

Kathryn Smith

Labor and Employee Relations Specialist

U.S. Environmental Protection Agency

Office: (919) 541-4216

Cell: (b) (6)

CONFIDENTIALITY: This email may contain privileged or confidential information. If you are not the intended addressee, you may neither copy, disseminate, nor distribute it to anyone else or use it in any unauthorized manner; to do so is strictly prohibited and may be unlawful. If you receive this email by mistake, please advise the sender immediately and delete it. "Information in this message may be subject to the Privacy Act (5 USC 552a) and should be treated accordingly."

To: Flynn, Mike[Flynn.Mike@epa.gov]; Vizian, Donna[Vizian.Donna@epa.gov]
From: Grantham, Nancy
Sent: Mon 4/24/2017 4:17:54 PM
Subject: FW: EPA Desk Statement about Gym RFQ

I have confirmed that there has been no external use of this statement – and they will refer all press to OPA here.

However, we should probably discuss the internal use.

Thanks ng

From: Vizian, Donna
Sent: Thursday, April 20, 2017 3:34 PM
To: Orme-Zavaleta, Jennifer <Orme-Zavaleta.Jennifer@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: EPA Desk Statement about Gym RFQ

Hi Jennifer, per my voice mail, I suggest you coordinate any desk statement or talking points with OPA. Nancy is familiar with the issue so I am copying her. Please call if you have questions.

From: Orme-Zavaleta, Jennifer
Sent: Thursday, April 20, 2017 12:25 PM
To: Vizian, Donna <Vizian.Donna@epa.gov>
Subject: RE: EPA Desk Statement about Gym RFQ

Here's the draft plus a possible addition. These are for internal use only to help field questions that may come in. Have not shared w OPA. Megan (mentioned below) is in the ORD Comms staff. Will keep you in the loop

Jennifer –

Below is a draft EPA Desk Statement about the Las Vegas gym RFQ. Megan and I worked with Van Anderson, Will Goins, Kevin Broadnax and others to develop it. The most recent media inquiry we've received on this subject was last Friday. (An email was sent to Kevin Broadnax from a reporter with an ABC news affiliate in Las Vegas.) Are you okay with Megan forwarding this to OPA for them to use to respond to any future media inquiries on this subject?

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Jennifer Orme-Zavaleta, PhD

Director, National Exposure Research Laboratory

USEPA Office of Research and Development

109 TW Alexander Dr MC 305-01

RTP, NC 27711

919-541-2106

Ex. 6 - Personal Privacy (cell)

orme-zavaleta.jennifer@epa.gov

From: Vizian, Donna

Sent: Thursday, April 20, 2017 12:20 PM

To: Orme-Zavaleta, Jennifer <Orme-Zavaleta.Jennifer@epa.gov>

Subject: RE: EPA Desk Statement about Gym RFQ

I don't see the desk statements. Can you please send it

From: Orme-Zavaleta, Jennifer

Sent: Thursday, April 20, 2017 12:06 PM

To: Vizian, Donna <Vizian.Donna@epa.gov>

Cc: Robbins, Chris <Robbins.Chris@epa.gov>

Subject: RE: EPA Desk Statement about Gym RFQ

My comms lead – she was working on a desk statement in case inquiries came in – still draft

Jennifer Orme-Zavaleta, PhD

Director, National Exposure Research Laboratory

USEPA Office of Research and Development

109 TW Alexander Dr MC 305-01

RTP, NC 27711

919-541-2106

Ex. 6 - Personal Privacy (cell)

orme-zavaleta.jennifer@epa.gov

From: Vizian, Donna

Sent: Thursday, April 20, 2017 11:53 AM

To: Orme-Zavaleta, Jennifer <Orme-Zavaleta.Jennifer@epa.gov>

Cc: Robbins, Chris <Robbins.Chris@epa.gov>

Subject: RE: EPA Desk Statement about Gym RFQ

Hi Jennifer, our meeting was rescheduled. We have information on how all organizations fund fitness centers. Who is Emily?

From: Orme-Zavaleta, Jennifer

Sent: Thursday, April 20, 2017 11:47 AM

To: Vizian, Donna <Vizian.Donna@epa.gov>

Cc: Robbins, Chris <Robbins.Chris@epa.gov>

Subject: FW: EPA Desk Statement about Gym RFQ

Hi Donna, below fyi is where the Agency has had other gym PR's over the past few yrs fyi

Let me know when you've connected with Ryan and next steps. We still have the new PR on hold

Jennifer Orme-Zavaleta, PhD

Director, National Exposure Research Laboratory

USEPA Office of Research and Development

109 TW Alexander Dr MC 305-01

RTP, NC 27711

919-541-2106

Ex. 6 - Personal Privacy (cell)

Orme-Zavaleta.Jennifer@epa.gov

From: Anderson, Van

Sent: Thursday, April 20, 2017 11:40 AM

To: Orme-Zavaleta, Jennifer <Orme-Zavaleta.Jennifer@epa.gov>

Cc: Smith, Emily J. <Smith.Emily@epa.gov>

Subject: RE: EPA Desk Statement about Gym RFQ

Jennifer,

Emily asked me to follow up with you on whether appropriated EPA funds have been used by other parts of the Agency for contracts with gym facilities. Kevin Broadnax provided a file that I worked with Kerry on to get more details.

In the table below, you can see where R6 – Houston lab was also purchasing fitness center memberships with 24 Hour Fitness. In one instance they used a purchase card for procuring the memberships, just the same as Kevin has done for our memberships in Las Vegas. In other instances, the memberships were procured by a contracting officer in OAMs DC acquisition service center. This too me is even more evidence that we have not done anything wrong by requesting that Kevin purchase the memberships for us. I think it is doubtful that a SACO and a CO would have both misunderstood the regulations that allow this type of purchase to be made.

Please let me know if you need any additional information on this matter.

Thanks,

Van

Contract/Agreement Number	Purpose	Funding Type	Award Date	Buyer	Issuing Office	Vendor Name
EP10W001126	Physical Fitness - ERT, Las Vegas	\$2.5KPO	3/23/2010	Bo, Kenneth	RECON ISSUE	24 HOUR FITNESS USA, INC.
EP-CARD-16-Z-0042	Gym Memberships - 37 employees that includes OLEM, OAR, OARM, NERL (OARS and OSIM Included)	\$14.8KPCard	3/31/2010	Boadnax, Kevin	ORD/OARS/NERL ESD	24 HOUR FITNESS USA, INC.
EP-CARD-15-Z-0051	Gym Memberships - LV - 14 employees	\$4.2KPCard	4/6/2010	Boadnax, Kevin	ORD/OARS/NERL ESD	24 HOUR FITNESS USA, INC.
EP-CARD-14-Z-0024	Gym Memberships - LV - est. 23 employees	\$6.9KPCard	1/16/2010	Boadnax, Kevin	ORD/OARS/NERL ESD	24 HOUR FITNESS USA, INC.
EP-CARD-13-Z-0020	Gym Memberships - LV - 14 employees	\$4.2KPCard	12/27/2009	Boadnax, Kevin	ORD/OARS/NERL ESD	24 HOUR FITNESS USA, INC.
EP-CARD-12-V-0045	Gym Memberships - LV - est. 16 employees	\$5K PCard	6/11/2010	Boadnax, Kevin	NERL ESD LV SACO	24 HOUR FITNESS USA, INC.
EP-CARD-12-V-0017	Gym Memberships - LV - 15 employees	\$4.5KPCard	12/9/2010	Boadnax, Kevin	NERL ESD LV SACO	24 HOUR FITNESS USA, INC.
EP-CARD-11-R6-0005	R6 - Houston Lab FY12 - 19 employees	\$9.8KPCard	9/29/2010	Williams, Houston	R6	24 HOUR FITNESS USA, INC.
EP-17-6-000002	R6 - Houston Lab FY17 - 18 employees	\$7.6KPO	10/31/2010	Pomeroy, Dawone	R6	24 HOUR FITNESS USA, INC.
EP-15-W-000172	For 5 OLEM staff - Las Vegas	\$1.6KPO	3/25/2011	Bo, Ron	SRRPOD	24 HOUR FITNESS USA, INC.

EP-15-6-000058	R6 - Houston Lab - FY15 18 employees	\$7.5KPO	9/30/2015	Winter, Dawone	R6	24 HOUR FITNESS USA, INC.
EP-14-W-000150	For 6 OLEM staff - Las Vegas	\$2K PO	3/18/2016	Scott, Elaine M.	SRRPOD	24 HOUR FITNESS USA, INC.
EP-13-W-000075	For 7 OLEM staff - Las Vegas	\$2.3KPO	4/2/2016	Scott, Elaine M.	SRRPOD	24 HOUR FITNESS USA, INC.
EP-12-W-000009	For 9 OLEM staff - Las Vegas	\$2.9KPO	2/22/2016	Des, Percy	SRRPOD	24 HOUR FITNESS USA, INC.
EP-12-6-000059	R6 - Houston Lab FY 13 - 19 employees FY14 - 18 employees	\$16.6KPO	8/31/2016	Williams, Houston	R6	24 HOUR FITNESS USA, INC.
EP-11-W-000025	PR Cancelled -	PO	9/25/2014	By, Kenneth	SRRPOD	24 HOUR FITNESS USA, INC.

Thanks,

Van

Van Anderson

Director, Program Operations Staff

National Exposure Research Laboratory
U.S. Environmental Protection Agency
109 T.W. Alexander Drive, Mail Drop D343-01
Research Triangle Park, NC 27711
Office: 919.541.2646
Fax: 919.541.0715
Email: anderson.van@epa.gov

From: Smith, Emily J.
Sent: Wednesday, April 19, 2017 11:20 AM
To: Anderson, Van <Anderson.Van@epa.gov>
Subject: RE: EPA Desk Statement about Gym RFQ

Thank you Van!! I appreciate it!

-Emily

Emily J. Smith

Communications Director

EPA National Exposure Research Laboratory

109 T.W. Alexander Drive

MD-305-01

Research Triangle Park, NC, 27711

Phone: 919-541-5556

E-mail: smith.emily@epa.gov

From: Anderson, Van

Sent: Wednesday, April 19, 2017 11:20 AM

To: Smith, Emily J. <Smith.Emily@epa.gov>

Subject: RE: EPA Desk Statement about Gym RFQ

Ex. 6 - Personal Privacy

I will follow-up with Kevin. Take care of Emily!!

Thanks,

Van

Van Anderson

Director, Program Operations Staff

National Exposure Research Laboratory
U.S. Environmental Protection Agency
109 T.W. Alexander Drive, Mail Drop D343-01
Research Triangle Park, NC 27711
Office: 919.541.2646
Fax: 919.541.0715
Email: anderson.van@epa.gov

From: Smith, Emily J.
Sent: Wednesday, April 19, 2017 11:08 AM
To: Anderson, Van <Anderson.Van@epa.gov>
Subject: FW: EPA Desk Statement about Gym RFQ

Van – Ex. 6 - Personal Privacy
Ex. 6 - Personal Privacy Could you please follow up with Kevin Broadnax to see if you can get the answer to the question that Jennifer had below about the gym RFQ? I forwarded Jennifer's question to Kevin yesterday, and he sent me back this attachment, but I'm not sure how to read it.

Thanks!

-Emily

Emily J. Smith

Communications Director

EPA National Exposure Research Laboratory

109 T.W. Alexander Drive

MD-305-01

Research Triangle Park, NC, 27711

Phone: 919-541-5556

E-mail: smith.emily@epa.gov

From: Broadnax, Kevin
Sent: Tuesday, April 18, 2017 12:01 PM
To: Smith, Emily J. <Smith.Emily@epa.gov>
Cc: Anderson, Van <Anderson.Van@epa.gov>
Subject: RE: EPA Desk Statement about Gym RFQ

Hello Emily, Yes I can answer the question. See attached spread sheet.

Kevin Broadnax

Contracting Officer

U.S. EPA/ORD/OARS/EMD LAS VEGAS

PHONE 702-798-2572

FAX 702-798-2380

[OARS Website](#)

From: Smith, Emily J.
Sent: Tuesday, April 18, 2017 8:52 AM
To: Broadnax, Kevin <Broadnax.Kevin@epa.gov>
Cc: Anderson, Van <Anderson.Van@epa.gov>
Subject: FW: EPA Desk Statement about Gym RFQ

Hi Kevin,

I shared the draft desk statement with our lab director. She thought it looked good, and asked the question below. Do you know the answer to that? Or do you know of other people who do contract work at EPA who might know the answer (and may have funded similar contracts)?

Thank you!

-Emily

Emily J. Smith

Communications Director

EPA National Exposure Research Laboratory

109 T.W. Alexander Drive

MD-305-01

Research Triangle Park, NC, 27711

Phone: 919-541-5556

E-mail: smith.emily@epa.gov

From: Orme-Zavaleta, Jennifer

Sent: Tuesday, April 18, 2017 11:43 AM

To: Smith, Emily J. <Smith.Emily@epa.gov>

Cc: Anderson, Van <Anderson.Van@epa.gov>

Subject: RE: EPA Desk Statement about Gym RFQ

Good info, thanks

In your search, did you come up with other locations (regions etc) where EPA contracts w

facilities for gym access to employees?

Jennifer Orme-Zavaleta, PhD

Director, National Exposure Research Laboratory

USEPA Office of Research and Development

109 TW Alexander Dr MC 305-01

RTP, NC 27711

919-541-2106

Ex. 6 - Personal Privacy b1)

orme-zavaleta.jennifer@epa.gov



28 April 2017

Dear Ms. Smith,

This constitutes a demand to consult and/or negotiate from NAGE Local R12-135 (the Union) under the authority of the Collective Bargaining Agreement (CBA) between United States Environmental Protection Agency (the Agency) and National Association of Government Employees (NAGE), regarding the termination of the Gym Membership Program for employees in the NAGE bargaining unit. Official notice of the Agency's intent to implement this new policy was received by the Union in an e-mail from you dated 17 April 2017. In accordance with Article 8 of the CBA, the Union has 10 workdays to respond to this official notice and request to bargain. Because this policy has potential to negatively impact our bargaining unit (BU) members, the Union is requesting to negotiate procedures and appropriate arrangements for bargaining unit employees who may be reasonably and foreseeably adversely affected by EPA's implementation of this policy. The adverse impact includes, but is not limited to, ending a program that is improving employees' health and productivity, and lowering their health insurance and medical costs.

The Union believes there are two concerns related to the termination of gym memberships in Las Vegas. These relate to first, the perception of wrong-doing, and second, the issue of fairness.

First, the Union has concerns with a perception of wrong-doing that was implied in the comments made on Fox News by the Agency's Administrator, Scott Pruitt, <https://www.fedsmith.com/2017/04/13/epa-ends-gym-membership-program-employees/>. We are documenting, for the record, that

- 1) Purchasing access for employees to a private fitness center's exercise facility is authorized by 5 U.S.C. Sec 7901 (b) 4, <https://www.gpo.gov/fdsys/pkg/USCODE-2009-title5/pdf/USCODE-2009-title5-partIII-subpartF-chap79-sec7901.pdf>
- 2) Providing access for employees to private fitness center's exercise facility has also been reviewed by the Government Accountability Office, <http://www.gao.gov/products/420504#mt=e-report>
- 3) Guidance is provided in this matter by the Office of Personnel Management, https://archive.opm.gov/employment_and_benefits/worklife/officialdocuments/handbooksguides/employeehandbook/chapter2/index.asp

- 4) Historically, the Agency has provided access to fitness facilities to employees at many Agency locations, including at Las Vegas;
- 5) Although in the early years of EPA's existence, employees were granted access to the University of Nevada Las Vegas (UNLV) gym facilities, for minimal to no cost, the building of a new Student Recreation Facility resulted in substantial month-to-month costs to non-student/non-faculty individuals choosing to exercise there, and the Agency instituted a competitive procurement process for funding gym memberships for employees in Las Vegas;
- 6) Appropriate approval processes were followed;
- 7) The UNLV gym facility was found not to be competitive in the procurement process and was not selected; and
- 8) The lowest-priced vendor meeting the requirements was selected, based on an advertised request for bids.

Thus there was no impropriety in how this procurement was conducted.

As far as fairness, the Agency employees in Las Vegas have been arbitrarily selected, out of all the locations where the Agency has staff groups located, and denied access to Agency-funded gym facilities. This can be extended further, in that most federal agencies and many large, well-regarded private employers offer access to gym facilities as an employee benefit because it is widely known that a moderate amount of physical activity on a regular basis can improve health and productivity, and lower health insurance and medical costs.

We offer the following proposals and arrangements to remedy this change in working conditions:

- 1) Reinstate the gym membership program for Agency employees in Las Vegas; or
- 2) Develop an on-site fitness center for Agency employees to use; or
- 3) Develop an employee-focused wellness program, based on employee-expressed needs and interests, that helps to manage stress, improve fitness, and generate esprit de corps.

The above proposals are all offered as possible procedures and appropriate arrangements to minimize adverse impacts of implementation of the Agency's proposed Gym Membership Program Termination on employees in the NAGE Local R12-135's bargaining unit. Please feel free to contact me if you need clarification on any aspect of the Union's concerns or proposals.

Respectfully,
Ann Pitchford, President
NAGE Local R12-135, SEIU, AFL-CIO
Las Vegas, Nevada
(702) 798-2366

To: Flynn, Mike[Flynn.Mike@epa.gov]
From: Vizian, Donna
Sent: Wed 4/12/2017 10:33:58 PM
Subject: RE: Gym memberships???

From the OPM handbook: Physical Fitness Programs and Facilities

Your agency may establish and operate physical fitness programs and facilities designed to promote and maintain employee health. Your agency may establish on-site fitness facilities or use the services of a private facility.

-----Original Message-----

From: Flynn, Mike
Sent: Wednesday, April 12, 2017 6:04 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Noga, Vaughn <Noga.Vaughn@EPA.GOV>; Bloom, David <Bloom.David@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>
Subject: RE: Gym memberships???

Yes, we provide funding for access to fitness centers in many locations across the agency, but it's done in different ways.

Mike Flynn
Acting Deputy Administrator
U.S. Environmental Protection Agency
202-564-4711

-----Original Message-----

From: Jackson, Ryan
Sent: Wednesday, April 12, 2017 5:50 PM
To: Flynn, Mike <Flynn.Mike@epa.gov>
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Noga, Vaughn <Noga.Vaughn@EPA.GOV>; Bloom, David <Bloom.David@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>
Subject: Re: Gym memberships???

Do we subsidize gym memberships in other locations?

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 - Personal Privacy

> On Apr 12, 2017, at 5:47 PM, Flynn, Mike <Flynn.Mike@epa.gov> wrote:
>

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

> Mike
>
> Mike Flynn
> Acting Deputy Administrator
> U.S. Environmental Protection Agency
> 202-564-4711
>
> -----Original Message-----
> From: Jackson, Ryan
> Sent: Wednesday, April 12, 2017 5:21 PM
> To: Vizian, Donna <Vizian.Donna@epa.gov>
> Cc: Flynn, Mike <Flynn.Mike@epa.gov>; Grantham, Nancy
> <Grantham.Nancy@epa.gov>; Noga, Vaughn <Noga.Vaughn@EPA.GOV>
> Subject: Re: Gym memberships???

Ex. 5 - Deliberative Process

> Ryan Jackson
> Chief of Staff
> U.S. EPA
> Ex. 6 - Personal Privacy
>
>> On Apr 12, 2017, at 5:12 PM, Vizian, Donna <Vizian.Donna@epa.gov> wrote:

Ex. 5 - Deliberative Process

>>> On Apr 12, 2017, at 4:08 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Ex. 5 - Deliberative Process

>>>> Ryan Jackson
>>>> Chief of Staff
>>>> U.S. EPA
>>>> Ex. 6 - Personal Privacy
>>>>
>>>> On Apr 12, 2017, at 3:49 PM, Vizian, Donna <Vizian.Donna@epa.gov> wrote:

>>>>> **Ex. 5 - Deliberative Process/Attorney Work Product**

>>>>

Ex. 5 - Deliberative Process/Attorney Work Product

>>>> Please let me know if you need anything else. I am at

Ex. 6 - Personal Privacy

>>>> -----Original Message-----

>>>> From: Jackson, Ryan

>>>> Sent: Wednesday, April 12, 2017 3:02 PM

>>>> To: Flynn, Mike <Flynn.Mike@epa.gov>; Vizian, Donna

>>>> <Vizian.Donna@epa.gov>

>>>> Subject: Gym memberships???

>>>>

>>>> What's the story on this?

>>>>

>>>> I need to know shortly. We are doing press today in NY.

>>>>

>>>> Ryan Jackson

>>>> Chief of Staff

>>>> U.S. EPA

>>>>

Ex. 6 - Personal Privacy

To: Vizian, Donna[Vizian.Donna@epa.gov]
From: Flynn, Mike
Sent: Wed 4/12/2017 10:40:54 PM
Subject: Re: Gym memberships???

Thanks ... bet most fed agencies provide

Mike Flynn
Acting Deputy Administrator
U.S. Environmental Protection Agency
(202) 564-4711

> On Apr 12, 2017, at 6:33 PM, Vizian, Donna <Vizian.Donna@epa.gov> wrote:

>

> From the OPM handbook: Physical Fitness Programs and Facilities

>

> Your agency may establish and operate physical fitness programs and facilities designed to promote and maintain employee health. Your agency may establish on-site fitness facilities or use the services of a private facility.

>

> -----Original Message-----

> From: Flynn, Mike

> Sent: Wednesday, April 12, 2017 6:04 PM

> To: Jackson, Ryan <jackson.ryan@epa.gov>

> Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Noga, Vaughn <Noga.Vaughn@EPA.GOV>; Bloom, David <Bloom.David@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>

> Subject: RE: Gym memberships???

>

> Yes, we provide funding for access to fitness centers in many locations across the agency, but it's done in different ways.

>

> Mike Flynn

> Acting Deputy Administrator

> U.S. Environmental Protection Agency

> 202-564-4711

>

> -----Original Message-----

> From: Jackson, Ryan

> Sent: Wednesday, April 12, 2017 5:50 PM

> To: Flynn, Mike <Flynn.Mike@epa.gov>

> Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Noga, Vaughn <Noga.Vaughn@EPA.GOV>; Bloom, David <Bloom.David@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>

> Subject: Re: Gym memberships???

>

> Do we subsidize gym memberships in other locations?

>

> Ryan Jackson

> Chief of Staff

> U.S. EPA

> Ex. 6 - Personal Privacy

>

>> On Apr 12, 2017, at 5:47 PM, Flynn, Mike <Flynn.Mike@epa.gov> wrote:

>>

>> Ryan,

Ex. 5 - Deliberative Process

>>
>> Mike
>>
>> Mike Flynn
>> Acting Deputy Administrator
>> U.S. Environmental Protection Agency
>> 202-564-4711
>>
>> -----Original Message-----
>> From: Jackson, Ryan
>> Sent: Wednesday, April 12, 2017 5:21 PM
>> To: Vizian, Donna <Vizian.Donna@epa.gov>
>> Cc: Flynn, Mike <Flynn.Mike@epa.gov>; Grantham, Nancy
>> <Grantham.Nancy@epa.gov>; Noga, Vaughn <Noga.Vaughn@EPA.GOV>
>> Subject: Re: Gym memberships???

Ex. 5 - Deliberative Process

>>> Ryan Jackson
>>> Chief of Staff
>>> U.S. EPA
>>> Ex. 6 - Personal Privacy

>>>> On Apr 12, 2017, at 5:12 PM, Vizian, Donna <Vizian.Donna@epa.gov> wrote:
>>>>

Ex. 5 - Deliberative Process

>>>>
>>>>> On Apr 12, 2017, at 4:08 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:
>>>>>

Ex. 5 - Deliberative Process

>>>>>
>>>>> Ryan Jackson

>>>> Chief of Staff

>>>> U.S. EPA

>>>> Ex. 6 - Personal Privacy

>>>>

>>>>> On Apr 12, 2017, at 3:49 PM, Vizian, Donna <Vizian.Donna@epa.gov> wrote:

>>>>>

>>>>> Ryan,

>>>>>

Ex. 5 - Deliberative Process

>>>>> -----Original Message-----

>>>>> From: Jackson, Ryan

>>>>> Sent: Wednesday, April 12, 2017 3:02 PM

>>>>> To: Flynn, Mike <Flynn.Mike@epa.gov>; Vizian, Donna

>>>>> <Vizian.Donna@epa.gov>

>>>>> Subject: Gym memberships???

>>>>>

>>>>> What's the story on this?

>>>>>

>>>>> I need to know shortly. We are doing press today in NY.

>>>>>

>>>>> Ryan Jackson

>>>>> Chief of Staff

>>>>> U.S. EPA

>>>>> **Ex. 5 - Deliberative Process**

From: Coomber, Robert

Location: Call-in Number

Importance: Normal

Subject: Discontinuation of Agency-Wide Fitness Benefits and Fitness Center Funding

Start Date/Time: Wed 6/21/2017 3:00:00 PM

End Date/Time: Wed 6/21/2017 4:00:00 PM

Ex. 6 - Personal Privacy

From: Wheeler, Kimberly
Location: DCROOMWJCN3330Q
Importance: Normal
Subject: Meeting on Fitness Centers
Start Date/Time: Wed 5/17/2017 8:00:00 PM
End Date/Time: Wed 5/17/2017 8:30:00 PM
Union Implications of Eliminating Funding to Fitness Centers 5-16.docx

From: Coogan, Daniel
Location: WJCN 7454G
Importance: Normal
Subject: FW: Discuss IA for HQ Fitness Center
Start Date/Time: Wed 6/14/2017 2:30:00 PM
End Date/Time: Wed 6/14/2017 3:00:00 PM
DM - HQ10212014017.pdf
Justification for IAA.PDF

FYI, this was pushed to today . . .

-----Original Appointment-----

From: Coogan, Daniel
Sent: Thursday, June 8, 2017 8:21 AM
To: Coogan, Daniel; Talbert-Duarte, Angelia; Zemel, Avital; Hardy, Michael
Subject: Discuss IA for HQ Fitness Center
When: Wednesday, June 14, 2017 10:30 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: WJCN 7454G

Rescheduling to next week. Would this time work?

Hi Lynnnann,

I see that Dan is out on Ex. 6 - Personal Privacy so I am sending this to you. I have taken a look

Ex. 5 - Deliberative Process

The IA also covers more than just fitness center services. For example, the IA also appears covers the provision of health and safety evaluations, EAP, AED programs, etc. . . .

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Perhaps a meeting with the IA specialist, IA award official and project officer assigned to this agreement might help to untangle some of this.

Please let me know your thoughts on next steps.

To: O'Grady, John[Ogrady.Johnj@epa.gov]; Morrison, Denise[Morrison.Denise@epa.gov]; tim.seidman@nteu.org[tim.seidman@nteu.org]; McBride, William[McBride.William@epa.gov]; Mills, Lesley[Mills.Lesley@epa.gov]; Pitchford, Ann[Pitchford.Ann@epa.gov]; Sims, Mark[Sims.Mark@epa.gov]; Oliver, Leah[Oliver.Leah@epa.gov]
Cc: Corbett, Krysti[Corbett.Krysti@epa.gov]; Vizian, Donna[Vizian.Donna@epa.gov]; Hitchens, Lynnann[hitchens.lynnann@epa.gov]; Coryell, Mark[coryell.mark@epa.gov]
From: Coomber, Robert
Sent: Thur 6/15/2017 4:21:34 PM
Subject: Official Notice -- Discontinuation of Agency-Wide Fitness Benefits and Fitness Center Funding

EPA Unions:

This serves as official notice that the agency will discontinue fitness subsidies and fitness center funding agency-wide, which will result in a savings of nearly \$ 900K per year for the agency. Discontinuation of this funding is targeted for July 31, 2017. We recognize the date may fluctuate at the local level depending on when obligated resources are exhausted. Any negotiations on this issue will be conducted at the local level. We will hold a briefing on this issue on Wednesday, June 21, 2017 at 11am EST. We will send out calendar invitations to the briefing in the near future.

Regards,

Robert D. Coomber

Senior Labor Attorney

Labor and Employee Relations Division

Desk Phone: (202) 564-0955

Cell Phone: Ex. 6 - Personal Privacy

coomber.robert@epa.gov

To: Westenberger, Andrea[Westenberger.Andrea@epa.gov]
From: Hitchens, Lynnann
Sent: Fri 7/7/2017 7:52:55 PM
Subject: info
[Union Implications of Eliminating Funding to Fitness Centers 6-15.docx](#)
[Fitness Centers Detail 7 7 2017.xlsx](#)

Andrea – as discussed

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M: Ex. 6 - Personal Privacy

To: Harmon, Russell[Harmon.Russell@epa.gov]; Westenberger, Andrea[Westenberger.Andrea@epa.gov]
From: Hitchens, Lynnann
Sent: Wed 8/23/2017 6:00:32 PM
Subject: attachment
Union Implications of Eliminating Funding to Fitness Centers 6-15.docx

Russ –

This is the document I referenced before, which was provided to management and LER staff back in June. Please keep this within your management team. Thanks –

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M: Ex. 6 - Personal Privacy

To: Greaves, Holly[greaves.holly@epa.gov]; Showman, John[Showman.John@epa.gov]
Cc: Vizian, Donna[Vizian.Donna@epa.gov]
From: Hitchens, Lynnann
Sent: Wed 11/29/2017 6:36:11 PM
Subject: RE: Estimates for libraries and gym memberships

Holly – the savings was approximately \$900K.

This was from discontinuing funding for fitness center contracts, memberships, and subsidies.

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M:  Ex. 6 - Personal Privacy

From: Greaves, Holly
Sent: Wednesday, November 29, 2017 1:29 PM
To: Showman, John <Showman.John@epa.gov>
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Hitchens, Lynnann <hitchens.lynnann@epa.gov>
Subject: RE: Estimates for libraries and gym memberships

Ok, thanks! I'll reach out to Steve.

Regarding the gym membership – the estimate of actual costs in 2017 (prior to the policy change) would actually be the most helpful.

From: Showman, John
Sent: Wednesday, November 29, 2017 1:27 PM
To: Greaves, Holly <greaves.holly@epa.gov>
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Hitchens, Lynnann <hitchens.lynnann@epa.gov>
Subject: Re: Estimates for libraries and gym memberships

Will see what we can pull but most of the gym funding ended in FY17. We allowed some to continue into early 18 because contracts were funded and ending at various times. Should be no 18 savings but asking Lynnann to pull info on what she has. Lynnann might have some of the info on libraries but you might want to reach out to Steve. Donna is on the hill now and I'm at the EMC.

Sent from my iPhone

On Nov 29, 2017, at 1:13 PM, Greaves, Holly <greaves.holly@epa.gov> wrote:

Donna/John,

Do you know the answers to the following (and if not, could you obtain them before 5:00 today)? I know this is a short notice.

1. I recall we made some changes to our gym membership policies earlier in the year – do you have an estimate of cost savings from these changes?
2. Do you know how much Steve's proposal re: library space would potentially save the agency?

Thanks,

Holly

To: Greaves, Holly[greaves.holly@epa.gov]
From: Hitchens, Lynnann
Sent: Wed 11/29/2017 6:38:05 PM
Subject: FW: Estimates for libraries and gym memberships
Union Implications of Eliminating Funding to Fitness Centers 6-15.docx

Holly – in case you need additional details ---

This document was prepared back in June and was used to brief the LER community during the union notification process.

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M: Ex. 6 - Personal Privacy

From: Hitchens, Lynnann
Sent: Wednesday, November 29, 2017 1:37 PM
To: Greaves, Holly <greaves.holly@epa.gov>; Showman, John <Showman.John@epa.gov>
Cc: Vizian, Donna <Vizian.Donna@epa.gov>
Subject: RE: Estimates for libraries and gym memberships

Holly – the savings was approximately \$900K.

This was from discontinuing funding for fitness center contracts, memberships, and subsidies.

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M: Ex. 6 - Personal Privacy

From: Greaves, Holly

Sent: Wednesday, November 29, 2017 1:29 PM

To: Showman, John <Showman.John@epa.gov>

Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Hitchens, Lynnann <hitchens.lynnann@epa.gov>

Subject: RE: Estimates for libraries and gym memberships

Ok, thanks! I'll reach out to Steve.

Regarding the gym membership – the estimate of actual costs in 2017 (prior to the policy change) would actually be the most helpful.

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Sent: Wednesday, November 29, 2017 1:27 PM

To: Greaves, Holly <greaves.holly@epa.gov>

Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Hitchens, Lynnann <hitchens.lynnann@epa.gov>

Subject: Re: Estimates for libraries and gym memberships

Will see what we can pull but most of the gym funding ended in FY17. We allowed some to continue into early 18 because contracts were funded and ending at various times. Should be no 18 savings but asking Lynnann to pull info on what she has. Lynnann might have some of the info on libraries but you might want to reach out to Steve. Donna is on the hill now and I'm at the EMC.

Sent from my iPhone

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Donna/John,

Do you know the answers to the following (and if not, could you obtain them before 5:00 today)? I know this is a short notice.

1. I recall we made some changes to our gym membership policies earlier in the year – do you have an estimate of cost savings from these changes?
2. Do you know how much Steve's proposal re: library space would potentially save the agency?

Thanks,

Holly

From: Hitchens, Lynnann

Location: Call-in Number 1

Ex. 6 - Personal Privacy

Importance: Normal

Subject: Accepted: Discontinuation of Agency-Wide Fitness Benefits and Fitness Center Funding

Start Date/Time: Wed 6/21/2017 3:00:00 PM

End Date/Time: Wed 6/21/2017 4:00:00 PM

To: Vizian, Donna[Vizian.Donna@epa.gov]
From: Hitchens, Lynnann
Sent: Wed 6/14/2017 1:57:30 AM
Subject: Re: Fitness Centers

Yes. It's either in the attachment or email from Kimberly. I'll send in the am.
Cincinnati ends in July, just talked to Rick today.

Sent from my iPhone

On Jun 13, 2017, at 6:22 PM, Vizian, Donna <Vizian.Donna@epa.gov> wrote:

Didn't you give me info on end dates for contracts?

From: Hitchens, Lynnann
Sent: Tuesday, June 06, 2017 9:58 AM
To: Vizian, Donna <Vizian.Donna@epa.gov>
Cc: Coogan, Daniel <Coogan.Daniel@epa.gov>; Coomber, Robert <coomber.robert@epa.gov>; Showman, John <Showman.John@epa.gov>; Corbett, Krysti <Corbett.Krysti@epa.gov>
Subject: Fitness Centers

Donna –

Attached is the revised summary document on Fitness Centers. Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M: Ex. 6 - Personal Privacy


To: Hardy, Michael[Hardy.Michael@epa.gov]
From: Hitchens, Lynnann
Sent: Tue 6/20/2017 1:03:40 PM
Subject: fitness information
Union Implications of Eliminating Funding to Fitness Centers 6-15.docx
Fitness Centers Detail 6 14 2017.xlsx

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M:  Ex. 6 - Personal Privacy

To: Patrick, Kimberly[Patrick.Kimberly@epa.gov]
Cc: Coomber, Robert[coomber.robert@epa.gov]
From: Hitchens, Lynnann
Sent: Mon 6/19/2017 7:00:36 PM
Subject: FW: updated document on fitness centers
Union Implications of Eliminating Funding to Fitness Centers 6-15.docx

Kimberly – Attached is the new version of the document that reflects the most recent feedback we received from management. This issue will be negotiated locally. At this point the unions have been noticed and Bob will be meeting with the unions on Wednesday.

I think the nearest date is July 31st – Cincinnati.

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M: Ex. 6 - Personal Privacy

From: Hitchens, Lynnann
Sent: Thursday, June 15, 2017 5:22 PM
To: Coomber, Robert <coomber.robert@epa.gov>
Cc: Corbett, Krysti <Corbett.Krysti@epa.gov>; Coogan, Daniel <Coogan.Daniel@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>
Subject: updated document on fitness centers

Bob –

I've updated the attached to match the feedback we received from management and included the union notice.

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M: Ex. 6 - Personal Privacy

To: Corbett, Krysti[Corbett.Krysti@epa.gov]
From: Hitchens, Lynnann
Sent: Thur 5/4/2017 1:36:22 PM
Subject: fitness center information
Fitness Centers Detail 2017.xlsx

Left you a voicemail also

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M Ex. 6 - Personal Privacy

To: Petrole, Maryann[Petrole.Maryann@epa.gov]; Noga, Vaughn[Noga.Vaughn@EPA.GOV]
Cc: Jefferson, Gayle[Jefferson.Gayle@epa.gov]; Collard, Erin[Collard.Erin@epa.gov]; Sterling, Sherry[Sterling.Sherry@epa.gov]; Morina, Lenée[Morina.Lenee@epa.gov]; Blankenship, Steven[Blankenship.Steven@epa.gov]
From: Bell, Matthew
Sent: Thur 8/31/2017 12:31:04 PM
Subject: RE: Weekly Report write-up

Thanks.

Sincerely,

Matthew Bell

Special Assistant

Office of Administration and Resources Management

U.S. Environmental Protection Agency

(202)564-3282

From: Petrole, Maryann
Sent: Thursday, August 31, 2017 7:33 AM
To: Bell, Matthew <Bell.Matthew@epa.gov>; Noga, Vaughn <Noga.Vaughn@EPA.GOV>
Cc: Jefferson, Gayle <Jefferson.Gayle@epa.gov>; Collard, Erin <Collard.Erin@epa.gov>; Sterling, Sherry <Sterling.Sherry@epa.gov>; Morina, Lenée <Morina.Lenee@epa.gov>; Blankenship, Steven <Blankenship.Steven@epa.gov>
Subject: RE: Weekly Report write-up
Importance: High

Matt let me know if you want any more detail – I tried to be concise

Ex. 3 - Statutory

From: Bell, Matthew

Sent: Thursday, August 31, 2017 6:48 AM

To: Petrole, Maryann <Petrole.Maryann@epa.gov>; Noga, Vaughn
<Noga.Vaughn@EPA.GOV>

Subject: Weekly Report write-up

Good Morning Vaugh/Maryann,

As mentioned in the meeting yesterday, please send a short summary of the meeting with the union regarding parking and fitness center and the purpose.

Thanks.

Sincerely,

Matthew Bell

Special Assistant

Office of Administration and Resources Management

U.S. Environmental Protection Agency

(202)564-3282

To: Noga, Vaughn[Noga.Vaughn@EPA.GOV]
From: Petrole, Maryann
Sent: Thur 8/31/2017 11:29:21 AM
Subject: FW: Donna wanted to put this in the OARM weekly - if you are ok I will send to Matt Bell

Did this last night – waiting on feedback from Gayle but this is straight from the union notification if you are fine I will send to Matt

From: Petrole, Maryann
Sent: Wednesday, August 30, 2017 5:17 PM
To: Jefferson, Gayle <Jefferson.Gayle@epa.gov>; Sterling, Sherry <Sterling.Sherry@epa.gov>
Cc: Noga, Vaughn <Noga.Vaughn@EPA.GOV>
Subject: Donna wanted to put this in the OARM weekly - if you are ok I will send to Matt Bell

Ex. 3 - Statutory

Maryann Petrole, Deputy Director

Office of Administration

EPA/OARM/OA

WJC-North, 5340-X

202-564-4938 (work)

Ex. 6 - Personal Privacy

cell)

To: McDonald, Joshua[McDonald.Joshua@epa.gov]; Wilson, SeVera[Wilson.SeVera@epa.gov]
Cc: Petrole, Maryann[Petrole.Maryann@epa.gov]; Blankenship, Steven
(Blankenship.Steven@epa.gov)[Blankenship.Steven@epa.gov]; Sterling,
Sherry[Sterling.Sherry@epa.gov]; Jefferson, Gayle[Jefferson.Gayle@epa.gov]; Boyle,
Norman[Boyle.Norman@epa.gov]
From: Noga, Vaughn
Sent: Tue 6/27/2017 3:12:09 PM
Subject: FOH - Funding

Josh/Severa,

Just a quick note to let you know that I have been given approval to fund the IA for FOH through the end of the FY. Please ensure that we have no lapse in support.

Gayle/Sherry – We need to begin to develop communications and the mechanisms by which RRB/PY fitness members will need to redo their allotment forms for FY18. As was discussed last Fri., the membership dues will need to be paid directly to the FOH contractor. The agency would still pay for equipment maintenance and new equipment.

Please call if you have any questions

Thank you

Vaughn

Vaughn Noga

Director, Office of Administration

Office of Administration and Resources Management

U.S. Environmental Protection Agency

1200 Pennsylvania Ave

Washington DC 20460

To: Vizian, Donna[Vizian.Donna@epa.gov]
From: Helm, Arron
Sent: Wed 5/3/2017 9:57:18 PM
Subject: Re: Fitness Centers

I think so - maybe not as many but I think still a substantial number would due to convenience.

Sent from my iPhone

On May 3, 2017, at 5:55 PM, Vizian, Donna <Vizian.Donna@epa.gov> wrote:

Will staff use it if they have to pay?

From: Helm, Arron
Sent: Wednesday, May 03, 2017 5:52 PM
To: Vizian, Donna <Vizian.Donna@epa.gov>
Subject: RE: Fitness Centers

Ex. 3 - Statutory

From: Vizian, Donna
Sent: Wednesday, May 03, 2017 5:43 PM
To: Helm, Arron <Helm.Arron@epa.gov>; Carter, Rick <Carter.Rick@epa.gov>;
Showman, John <Showman.John@epa.gov>; Corbett, Krysti <Corbett.Krysti@epa.gov>;
Hitchens, Lynnann <hitchens.lynnann@epa.gov>; Noga, Vaughn
<Noga.Vaughn@EPA.GOV>
Subject: Fitness Centers

HI – I was able get some direction today and here is where we are. We need to look at a new model that involves no (or maybe very little) EPA funds. If we have on-site gyms where we are now paying, we need to look at how we convert that to user membership fees.

We currently do an employee contribution at federal triangle and R8 has an on-site gym run with membership fees. Lynnann is looking at how this is done and if we can use the approach in other places.

Ex. 3 - Statutory

To: Vizian, Donna[Vizian.Donna@epa.gov]
From: Showman, John
Sent: Thur 4/20/2017 5:04:25 PM
Subject: FW: Updated Fitness Center Chart
Fitness Centers Detail 2017.xlsx

From: Coogan, Daniel
Sent: Thursday, April 20, 2017 12:55 PM
To: Showman, John <Showman.John@epa.gov>; Hitchens, Lynnann
<hitchens.lynnann@epa.gov>
Subject: Updated Fitness Center Chart

I just received the #s for Philly and Wheeling. Everything should be complete now (barring edits).

Dan

Director, Resources, Analysis and Planning Division

Office of Resources, Operations and Management, OARM

o: 202-564-1862

C: Ex. 6 - Personal Privacy

SEE – PHS – OARM Budget – RAPD

To: Vizian, Donna[Vizian.Donna@epa.gov]
Cc: Showman, John[Showman.John@epa.gov]; Osborne, Howard[Osborne.Howard@epa.gov];
Vizian, Donna[Vizian.Donna@epa.gov]; Bloom, David[Bloom.David@epa.gov]
From: Walsh, Ed
Sent: Fri 4/14/2017 2:55:35 PM
Subject: Re: Las Vegas EPA Caught Using Taxpayer Funds for 24-Hour Gym Memberships

Hi Donna. Just talked to Jason. He mentioned Pruitt's commoners on Fox and Friends:

(Don't) work out: Pruitt told "Fox and Friends" Thursday morning he'd canceled EPA-sponsored gym memberships after Americans for Tax Reform originally raised questions about EPA's Las Vegas office charging nearly \$15,000 for the services. "It was something that needed to end and it ended yesterday," he said.

On Apr 13, 2017, at 5:16 PM, Vizian, Donna <Vizian.Donna@epa.gov> wrote:

Hi Ed,

This came up with the COS yesterday. I will paste below what I send below. You should know there is a real sensitivity here. I think the Administrator was asked about it last night in a press conference. We probably should talk tomorrow. David was involved a bit in this.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Showman, John
Sent: Thursday, April 13, 2017 2:39 PM
To: Vizian, Donna <Vizian.Donna@epa.gov>
Subject: Re: Las Vegas EPA Caught Using Taxpayer Funds for 24-Hour Gym Memberships

Do you want to reply to Ed??

Sent from my iPhone

On Apr 13, 2017, at 2:37 PM, Vizian, Donna <Vizian.Donna@epa.gov> wrote:

I have everything

On Apr 13, 2017, at 1:55 PM, Showman, John <Showman.John@epa.gov> wrote:

Before I try and find out more info do you have the details as in which EPA office. Ord?? oAr ??

Sent from my iPhone

Begin forwarded message:

From: "Walsh, Ed" <Walsh.Ed@epa.gov>

Date: April 13, 2017 at 1:45:33 PM EDT

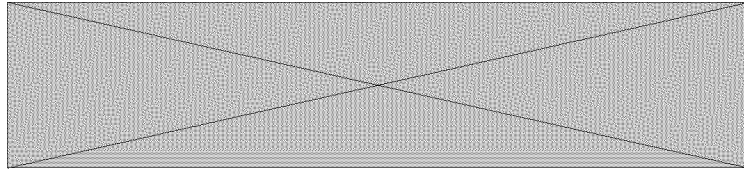
To: "Showman, John" <Showman.John@epa.gov>

Subject: Fwd: Las Vegas EPA Caught Using Taxpayer Funds for 24-Hour Gym Memberships

My guess is the person in the procurement office paid using the GOV credit card. And the proximity to UNLVs campus doesn't matter if UNLV facilities are available for students and faculty only. Or perhaps this was the cheaper option so it saved the gov't money. But that doesn't generate the headlines that ATR would like. Let me know if there's anything more to the story.

Thanks

Ed



[Permalink]

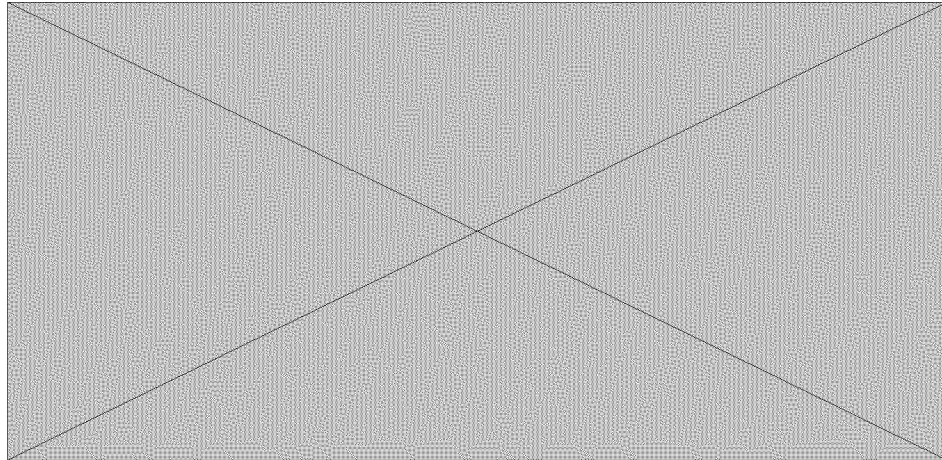
<http://bit.ly/2oYRWV9>

Las Vegas EPA Caught Using Taxpayer Funds for 24-Hour Gym Memberships

Documents show government credit card charge for \$14,799 for "Super Sport" 24-hour gym memberships for Vegas EPA employees

Newly obtained documents show the EPA's Las Vegas office used a government purchase card to charge nearly \$15,000 for 24-hour gym memberships for employees. Courtesy of U.S. taxpayers.

The documents show the EPA office on the campus of UNLV charged U.S. taxpayers \$14,799.63 on April 11, 2016 for 37 "1 Year Super Sport" packages at 24 Hour Fitness, which touts its facilities as "the ultimate daily retreat" complete with "thousands of square feet of spectacular workout space, complete with premium gym equipment, unmatched amenities and some of the best studio classes around."

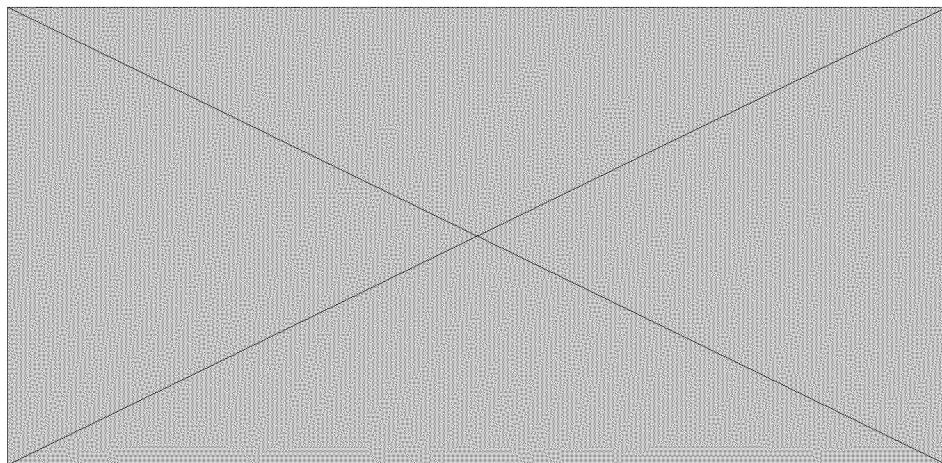


This basketball court is part of the "spectacular workout space" offered at the EPA's preferred gym.

The Las Vegas EPA office made the purchase even though employees have access to the nearby state of the art 165,465-square foot fitness center on the UNLV campus. Local lifestyle magazine Vegas Seven named the UNLV facility as "Best Fitness Center" in the city and noted that it is "available not only to UNLV students but also Clark County residents." The magazine praised the "large cardio center facing multiple television screens, a lap pool and spa, all kinds of weight machines, a 200-meter indoor running track, a four-court gym, and a café and juice bar."

But this was apparently not good enough for the EPA.

According to the EPA Inspector General, this and several other agency purchases failed to comply with internal controls and procedures, "enough to warrant an audit because of noncompliance with existing controls." The failures are documented here.



The EPA's preferred gym encourages clients to see the club as the "ultimate daily retreat."

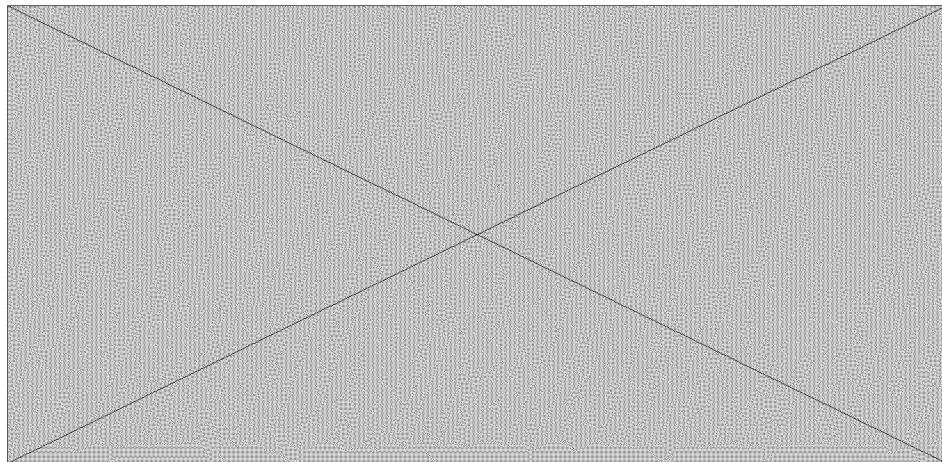
"The corruption and waste in the EPA ends now," said Americans for Tax Reform president Grover Norquist. "Those apologists who pretend that reducing waste and corruption in the EPA is an attack on Mother Earth stand exposed as the frauds they are. Ending corruption and self-enrichment is good for the environment and other living things."

During his eight years in office President Barack Obama made the Environmental Protection Agency wholly unaccountable to American taxpayers. In doing so he fostered a culture of bureaucratic superiority within the agency such that EPA officials and employees were more concerned with reaping the newfound benefits of unchecked power and less about maintaining the integrity of their taxpayer funded activities, leading to historic levels of waste and abuse with taxpayers footing the bill.

The Las Vegas gym incident highlights the level of blatant disregard the EPA has for American taxpayers. It is representative of a culture of mismanagement from EPA officials in D.C. that has permeated federal and state operations.

The EPA's actions in Nevada are only one example of myriad wasteful and improper employee actions that have been recorded ranging from drug use to timecard fraud. For instance, a senior EPA official was caught watching up to six hours of pornography on his government-issued computer during work hours, and had been doing so for almost four years during the Obama presidency. That official ironically received a number of performance awards during his time at the EPA.

The former Director of the EPA's Office of Administration under Obama was caught selling jewelry and weight loss pills out of her office using her government e-mail account. That same employee hired 17 of her family members as paid interns, and paid her daughter, also an EPA employee, directly from her agency's budget account. She was somehow given the Presidential Rank Award in 2010 under Obama for which she also awarded \$35,000.



Spacious locker-rooms are just one of many "unmatched amenities" for EPA

employees courtesy of their taxpayer funded "Super Sport" gym memberships.

The culture of mismanagement and unaccountability at the EPA, and resulting waste of taxpayer funds, was promulgated under Obama and allowed to fester throughout his tenure.

Since taking office President Trump and EPA Administrator Scott Pruitt have vowed to get the EPA back to its core mission, and rein in government overreach and wasteful spending.

[Permalink]
<http://bit.ly/2oYRWV9>

Americans for Tax Reform is a non-partisan coalition of taxpayers and taxpayer groups who oppose all tax increases. For more information or to arrange an interview please contact John Kartch at 202-785-0266 or by email at jkartch@atr.org.

###

To: Vizian, Donna[Vizian.Donna@epa.gov]
From: Showman, John
Sent: Mon 7/3/2017 6:27:29 PM
Subject: Fwd: Regional fitness centers

Sent from my iPhone

Begin forwarded message:

From: "Strauss, Alexis" <Strauss.Alexis@epa.gov>
Date: July 3, 2017 at 1:42:59 PM EDT
To: "Jordan, Deborah" <Jordan.Deborah@epa.gov>, "McIlwain, Serena" <McIlwain.Serena@epa.gov>
Cc: "Strauss, Alexis" <Strauss.Alexis@epa.gov>, "Showman, John" <Showman.John@epa.gov>
Subject: Regional fitness centers

Here is the status of the Regional fitness centers, may need further specificity.

Region 1: handled entirely by an employee 501(3) c organization; not affected.

Region 2: two facilities, one in NYC, the other in Edison NJ. The NYC facility associated with the Regional office has been free, fees will rise to \$335/year.

The Edison NJ facility, at the lab, is EPA space and equipment with no oversight.

Question as to how OSC fitness standards are to be supported.

Region 3: GSA basement gym in Regional Office, EPA pays contractor to operate. Disparity of Regional versus two subsidized field locations.

Region 4: Gym in Federal building operated by another party, EPA has subsidized 100 employees, will end September 30.

Region 5: Basement gym shared with other feds, pay \$30/month each, have paid ahead through July.

Region 6: Subsidizes Houston fitness facility, will end and switch to hotel model. Dallas fitness center operates with EPA contract through February.

Region 7: Operates hotel model now.

Region 8: not on the call

Region 9: in transition from EPA-supported Federal Occupational Health-operated fitness center in GSA space with employee-paid membership, move to hotel model by October 1; adjust member fees.

Region 10: Multi-purpose room used for classes. EPA subsidy ends September 30.

Alexis Strauss

Acting Regional Administrator

E.P.A. Region 9

75 Hawthorne Street

San Francisco, CA 94105

415-972-3572

To: Wheeler, Kimberly[Wheeler.Kimberly@epa.gov]
From: Vizian, Donna
Sent: Thur 4/20/2017 7:14:01 PM
Subject: FW: Updated Fitness Center Chart
Fitness Centers Detail 2017.xlsx

Kim – this needs to replace the chart in the material for the meeting that was scheduled for 11:30 today

From: Showman, John
Sent: Thursday, April 20, 2017 1:04 PM
To: Vizian, Donna <Vizian.Donna@epa.gov>
Subject: FW: Updated Fitness Center Chart

From: Coogan, Daniel
Sent: Thursday, April 20, 2017 12:55 PM
To: Showman, John <Showman.John@epa.gov>; Hitchens, Lynnann <hitchens.lynnann@epa.gov>
Subject: Updated Fitness Center Chart

I just received the #s for Philly and Wheeling. Everything should be complete now (barring edits).

Dan

Director, Resources, Analysis and Planning Division

Office of Resources, Operations and Management, OARM

o: 202-564-1862

C: Ex. 5 - Deliberative Process

SEE – PHS – OARM Budget – RAPD

To: Brincks, Mike[brincks.mike@epa.gov]; Buhl, Rick[Buhl.Rick@epa.gov]; Carter, Rick[Carter.Rick@epa.gov]; Esher, Diana[Esher.Diana@epa.gov]; Graves, Kimberly[graves.kimberly@epa.gov]; Harmon, Russell[Harmon.Russell@epa.gov]; Helm, Arron[Helm.Arron@epa.gov]; Kenyon, Michael[Kenyon.Michael@epa.gov]; Lapierre, Kenneth[lapierre.kenneth@epa.gov]; Lindsay, Nancy[Lindsay.Nancy@epa.gov]; Manna, Richard[Manna.Richard@epa.gov]; McDonald, James[McDonald.James@epa.gov]; McIlwain, Serena[McIlwain.Serena@epa.gov]; Newton, Cheryl[Newton.Cheryl@epa.gov]; Sanders, Amy[Sanders.Amy@epa.gov]; Sypniewski, Bruce[sypniewski.bruce@epa.gov]; Tellis, Vickie[Tellis.Vickie@epa.gov]; Westenberger, Andrea[Westenberger.Andrea@epa.gov]
From: Vizian, Donna
Sent: Wed 6/14/2017 10:04:05 PM
Subject: FW: HEADS UP -- Official Notice -- Discontinuation of Agency-Wide Fitness Benefits and Fitness Center Funding

FYI

From: Coomber, Robert
Sent: Wednesday, June 14, 2017 6:02 PM
To: LER Community <LER_Community@epa.gov>; RHRO <RHRO@epa.gov>
Cc: Corbett, Krysti <Corbett.Krysti@epa.gov>; Hitchens, Lynnann <hitchens.lynnann@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>
Subject: HEADS UP -- Official Notice -- Discontinuation of Agency-Wide Fitness Benefits and Fitness Center Funding

Ex. 3 - Statutory

Ex. 3 - Statutory

Ex. 3 - Statutory

Regards,

Robert D. Coomber

Senior Labor Attorney

Labor and Employee Relations Division

Desk Phone: (202) 564-0955

Cell Phone: **Ex. 3 - Statutory**

coomber.robert@epa.gov